

Administration of oath of office to Councilman Black at 6:30 p.m.

**MINUTES
MAULDIN CITY COUNCIL
JANUARY 25, 2010
7:00 PM**

Members present were Mayor Don Godbey, Council members Dale Black, Gabe Hunter, Patricia Gettys, James Kennedy and Michael Reynolds. Bob Cook was out of town. City Attorney John Duggan and City Administrator Trey Eubanks were also present.

1. Call to order.- Mayor Godbey
 - a. Invocation- Councilman Black
 - b. Pledge of Allegiance- Councilwoman Gettys
 - c. Welcome- Mayor Godbey

Council appointment of Mayor Pro Tempore- Councilwoman Gettys made a motion to appoint Gabe Hunter as MPT. Councilman Reynolds seconded the motion and the vote was unanimous (6-0).

2. Proclamations and Presentations- Representative from CCFB; Pat Pomeroy, Mauldin Chamber; Taylor Hudson Proclamation; Football team proclamation; audit presentation; Jeff Poland, Baja SAE presentation; Presentation from representative of Haitian Church in Mauldin

The audit presentation was given by Don Mobley. He stated that the city received an unqualified opinion and the audit went very smoothly.

Jeff Poland presented information about the SAE Baja that will be held at the ICAR campus the first week of April.

Pat Pomeroy was present at the meeting at reported on some ribbon cuttings and other events at the chamber. The train show will be held in May.

Greg Campbell reported on the Furman University classes at the cultural center and also that Japanese is being taught at the center.

The two co-presidents of Mauldin High School were present. They told the council about the different activities planned for spirit week February 5-12th, which raises money for a charity. This year the charity is Pendleton Place, a shelter for abused and neglected children.

Proclamations were given to the 10 and under football team state champions and to Taylor Hudson, a Shrine Bowl participant from Mauldin High School.

Debra Arnold came forward and introduced Pastor Patrick Gue from the Haitian Wesleyan Church on East Butler Road. He said he was happy to be in the community and was thankful for the help that has been given to the people in Haiti after the devastating earthquake. Their website is www.firsthaitianwesleyanchurch.webs.com. The Mayor invited him to come to a Rotary meeting.

3. Reading and approval of minutes.- December 21, 2009

Councilman Kennedy made a motion to accept the minutes with Councilman Hunter seconding. The vote was unanimous (6-0).

4. Public Comment.

Sharon Scott: I live at 103 Brookhill Place. I love my condo. I want to talk about the increasing number of problems I am having related to the construction. This is no reflection on anyone here. This condo was built in 1995. Shortly after I moved in and winter came upon me, I noticed that the vent at the bottom of the fireplace was cold. There was no insulation ever put behind the fireplace. There have been a couple of little things since then, but nothing major until this last cold spell. I was home and I started hearing water pouring down. I had a pipe break behind my front wall. I called in a plumber and he discovered that this was another instance where the construction wasn't what it should have been. He had to go through the drywall, the sub wall and take out part of a stud. The copper pipe coming into the bib was crooked, so when the ice began to melt it split. Fortunately I was home, but there was still some damage.

I brought in a contractor to paint and he was painting and I mentioned to him that there was some paint flaking off of a side wall. He went to reinforce it and it crumbled. The framing was the wrong size, so they just slapped in a bunch of construction mud. He had to do all of that. Since all of this happened, I have found out that there have been numerous pipe breaks in my subdivision. My neighbor is with me and she told me of six breaks and I know of two more. It got to the point that we were informed that our insurance for the complex would no longer cover these pipe breaks because they were so expensive. The reason I am saying all of this, is that I really want to advocate good oversight. I know the building department is doing this and a lot of things have changed. Hopefully other people won't have to go through this to the extent that we have.

5. Report from City Administrator

Trey Eubanks: We are gearing up for the census. There is some information on the cable channel about this and Pete is picking up some posters tomorrow that we can distribute throughout the city. The other thing, he is reviewing city boundary maps to ensure we have an accurate count. We intend to do what we can to get the word out and educate the public on the importance of getting a correct count.

Quick report on Holland Road- it is substantially complete. There is one section that we have to work on when the temperature gets warm enough. We were able to leverage three different funding sources for this project to address additional traffic generated by Samsung. There are over 700 jobs there and that is great news. For us to bring this to Mauldin is a big benefit and we used those jobs to leverage federal funds. I want to recognize John Gardner for doing a fine job as the head of this project.

The 276 Main Street project draft design will be presented at the next PEDC committee meeting. The other thing to mention is that we have our name on the list for more stimulus money. DOT is trying to gather some projects that are shovel ready and available for funds.

The other thing to mention is that our worker's comp and liability insurance provider through the MASC is giving back a participation credit. We will save about \$28,000 per program for a total of over \$56,000. That is very good news. I am glad to report this to you and I will have the details to you in your boxes tomorrow.

6. Reports from Standing Committees

a. Fire (Chairman Black)

- i. Reports and Communications from Fire Chief- His report is on file.

b. Police (Chairman Cook)

- i. Reports and Communications from Police Chief.

Chief Turner gave an example of crime numbers that look worse than they actually are. Rape went up two incidents this year. Of those 8, three arrests were made, two were unfounded, one was x-cleared, one had a complaint withdrawal, and one was administratively closed. The number 8 is deceptive.

Councilman Black mentioned gang activities. He said someone at his church mentioned that we are not doing enough about gangs but that he was misinformed. There is activity going on behind the scenes that may not be noticed by the general public. Chief Turner said the city does have a gang investigator and that is all he does. He is teamed with the Sheriff's Office.

- ii. Reports and Communications from Municipal Clerk of Court /
Administrative Judge- Her report is on file.

c. Recreation (Chairwoman Gettys)

- i. Reports and Communications from Recreation Director.

Van Brannon reported that the seniors had 2700 participating in activities in December. AARP will be available starting next month on Thursdays to help with tax returns. Baseball and softball signups start next week. Sports Center membership is around 3500. 48 people are signed up for the biggest loser. There will be a golden strip basketball

tournament in a couple of weeks. More collaboration with Simpsonville and Fountain Inn has been encouraged by the council.

Councilman Kennedy told Van he is appreciative of the maintenance of the sports equipment at the sports center.

Councilman Hunter said he was impressed by how clean the sports center is.

ii. Report on cultural center.

d. Planning and Economic Development (Chairman Hunter)

i. Reports and Communications from Building and Zoning Director.

Peter Nomikos reported that permits were up for the last month. Sales at the Valley at Tanner Estates have been going well. Homes there cost about \$350,000.

Mr. Nomikos went out to look at storm damage after the rains on Sunday and noticed that there was not much damage at all. The work that Greg's department is doing cleaning out the storm drains is helping. The storm drains did not get stopped up. Flooding was not significant.

Mr. Nomikos said he would follow up on Ms. Scott's concerns with the Building Code Council, but it may be that too much time has elapsed.

e. Public Works (Chairman Kennedy)

i. Reports and Communications from Public Works Director

Trey reported that Greg was not in attendance because he had worked many hours due to the rains and tornado warning.

f. Finance and Policy (Chairman Reynolds)

i. Reports and Communication from Finance Director

Holly Abercrombie reported that the audit is done and it is time to gear up for the next budget year.

7. Unfinished Business

a. Consideration and action on Business License Late Penalty Increase (PEDC)

Chairman Hunter made a motion to accept this ordinance on second reading with Councilwoman Gettys seconding. The vote was unanimous (6-0).

8. New Business

- a. Consideration and action on cultural center board motions. (Committee of the Whole).

Councilwoman Gettys said that we would split this into four items to keep it easier. First is the master plan, second, the auditorium renovation, third, the garden club's requests, and fourth, the Rotary Club's request for alcohol to be served at a function at the cultural center.

The cultural center met on January 11th and had good discussion. The board voted to approve the master plan. Councilwoman Gettys made a motion to approve the master plan. This is the one that the Clemson University students worked on. Minor changes can be done, but this will approve the basic plan. Councilman Kennedy seconded the motion. The vote was unanimous (6-0).

Auditorium renovation was the next item. Trey Eubanks stated that there is a new board member that is an architect. Jack Thacker has reviewed these renovations and the board unanimously endorsed the auditorium renovation design. The board did want to reserve discussion on permanent seating and facilities beside the green room and possible changes for more seating. Councilwoman Gettys made a motion to accept the auditorium design. Councilman Reynolds seconded the motion.

Councilman Black asked what was actually being approved as a design. Trey said that there was discussion about permanent seating and that some board members did not support the permanent seating. Other members liked the seating as a way to provide a better venue for live acts. It is council's decision ultimately, but more discussion is needed. Funding will be looked at also. The design is being approved, but there may be further recommendations from the cultural board.

The vote was unanimous (6-0).

The council approved money to be spent for lighting for the cabin. The concern from the cultural center board is that some of the requests from the garden club might wait because they may have to be redone as the work on the master plan is done. Lighting is one request, the other is a birdhouse with a sign and the other is a stacked stone wall that leads to the serenity garden. The lighting was supported by the board unanimously. The request was that the garden club consider LED lighting. The board wanted to wait on the birdhouse and wall in case it would have to be redone. After speaking with Dave Chesson and Brian Daughhettee, the garden club said the birdhouse and sign would not be permanently installed, but would be movable. Likewise, the stacked

wall would be not constructed with mortar and could be moved in the future as well.

John Duggan warned that the stone wall could present some liability to the city if anyone is injured. The city should be careful of a stacked wall that is not secured with mortar. Councilwoman Gettys made a motion to approve the lighting request. Councilman Kennedy seconded.

Councilman Black asked what the cost difference would be. Bonnie Nisley said that LED was what was given in the estimate. Councilman Black said we need to make sure that the light is not a nuisance and complies with the lighting ordinance.

Councilman Reynolds made a motion to amend the motion the bird house and sign to the motion.

Councilman Black seconded the amendment.

John Duggan said he is aware that LED lights do not give off heat and are subject to freezing.

There was a concern that the council step on the toes of the cultural center board by approving the bird house and sign. Greg Campbell said the cultural center board's concerns have been addressed and it was not a problem to approve the requests.

The vote on the amendment was unanimous (6-0). The vote was unanimous on the motion as amended (6-0). The bird house, sign, and lighting were all approved.

The fourth aspect is the serving of alcohol request by the Rotary Club. According to the memorandum of understanding, the consumption of alcoholic beverages is prohibited unless a permit is issued by the council for the event. The cultural center board is sending this back to city council.

Mayor Godbey asked to send this to the PEDC as an ordinance change to the existing ordinance that does not allow alcohol consumption on city property. Simpsonville and Fountain Inn have similar alcohol ordinances that we can look at.

Councilman Reynolds asked if this should be sent to Finance and Policy. Mayor Godbey said the two chairs could talk about this issue but it would be on PEDC.

9. Public Comment.- None

10. Council requests.- None

11. Adjournment. – Mayor Godbey adjourned the meeting.

Respectfully Submitted,

Cindy Miller

Municipal Clerk